

JUN 06 2003

# REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Address to:  
Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450, Alexandria, Virginia 22313-1450

Application Number	09/761,624
Filing Date	January 17, 2001
First Named Inventor	Alan L. Everett
Art Unit	3752
Examiner Name	C. Kim
Attorney Docket No.	29627.0006

TECHNOLOGY CENTER R3700

JUN 10 2003

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This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

## 1. Submission required under 37 CFR 1.114

- a. ☒ Previously submitted
- i. ☒ Consider the amendment(s)/reply under 37 CFR 1.116 previously filed on May 6, 2003  
(Any unentered amendment(s) referred to above will be entered.)
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
- iii. ☐ Other \_\_\_\_\_
- b. ☐ Enclosed
- i. ☐ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other \_\_\_\_\_

## 2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
- b. ☐ Other \_\_\_\_\_

## 3. Fees

The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

- a. ☐ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 08-2442
- i. ☐ RCE fee required under 37 CFR 1.17(e) 06/09/2003 RWOHDAF1 00000024 09761624
- ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17) 01 FC:2801 375.00 OP
- iii. ☐ Other \_\_\_\_\_
- b. ☒ Check in the amount of \$ 375.00 enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

## SIGNATURE OF APPLICANT, ATTORNEY OR AGENT REQUIRED

Name (Print/Type)	Martin G. Linihan	Registration No. (Attorney/Agent)	24,926
Signature	<i>Martin G. Linihan</i>	Date	June 2, 2003

## CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner For Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print/Type)	Martin G. Linihan	Date	June 2, 2003
Signature	<i>Martin G. Linihan</i>		

JUN 06 2003

# **FREE TRANSMITTAL** **for FY 2003**

Effective 01/01/2003. Patent Fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27.

TOTAL AMOUNT OF PAYMENT (\$635.00)

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## **METHOD OF PAYMENT (check all that apply)**

☒ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None

☐ Deposit Account: Deposit Account Number: 08-2442

Deposit Account Name: Hodgeson Russ LLP

The Commissioner is hereby authorized to (check all that apply)

☐ Charge fee(s) indicated below

☒ Charge any fee deficiencies or credit any overpayments

☐ Charge any additional fees during pendency of this application.

☐ Charge fees indicated below, except for the filing fee to the above-identified deposit account

## **FEE CALCULATION**

### **1. BASIC FILING FEE**

Large Entity Small Entity

Fee Fee Fee Fee Fee Description Fee Paid

Code (\$) Code (\$) Code (\$) Code (\$)

1001 750 2001 375 Utility filing fee \$

1002 330 2002 165 Design filing fee \$

1003 520 2003 260 Plant filing fee \$

1004 750 2004 375 Reissue filing fee \$

1005 160 2005 80 Provisional filing fee \$

SUBTOTAL (1) \$0

### **2. EXTRA CLAIM FEES FOR UTILITY/ REISSUE**

Extra Fee from

Claims below

Total Claims // -20\*\* = // x // = \$

Independent Claims // - 3\*\* = // x // = \$

Multiple dependent // x // = \$

Large Entity Small Entity

Fee Fee Fee Fee Fee Description Fee Paid

Code (\$) Code (\$) Code (\$) Code (\$)

1202 18 2202 9 Claims in excess of 20 \$

1201 84 2201 42 Independent claims in excess of 3 \$

1203 280 2203 140 Multiple dependent claim if not paid \$

1204 84 2204 42 \*\*Reissue independent claims over original patent \$

1205 18 2205 9 \*\*Reissue claims in excess of 20 and over original patent \$

SUBTOTAL (2) \$0

SIGNATURE: Martin G. Linihan

Martin G. Linihan Reg. No. 24,926

DATE: June 2, 2003 Telephone: (716) 848-1367

## **FEE CALCULATION (continued)**

### **3. ADDITIONAL FEES**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	\$
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	\$
1053	130	1053	130	Non-English specification	\$
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination	\$
1804	920*	1804	920*	Requesting Publication of SIR prior to Examiner Action	\$
1805	1,840*	1805	1,840*	Requesting Publication of SIR after Examiner Action	\$
1251	110	2251	55	Extension for reply within first month	\$
1252	410	2252	205	Extension for reply within second month	\$
1253	930	2253	465	Extension for reply within third month	\$
1254	1,450	2254	725	Extension for reply within fourth month (\$725 paid May 6, 2003)	\$
1255	1,970	2255	985	Extension for reply within fifth month	\$260
1401	320	2401	160	Notice of Appeal	\$
1402	320	2402	160	Filing a brief in support of an appeal	\$
1403	280	2403	140	Request for oral hearing	\$
1451	1,510	1451	1,510	Petition to institute a public use proceeding	\$
1452	110	2452	55	Petition to revive - unavoidable	\$
1453	1,300	2453	650	Petition to revive - unintentional	\$
1501	1,300	2501	650	10 advance copies Utility issue fee (or reissue)	\$
1502	470	2502	235	Design issue fee	\$
1503	630	2503	315	Plant issue fee	\$
1460	130	1460	130	Petitions to the Commissioner	\$
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	\$
1806	180	1806	180	Submission of Information Disclosure Statement	\$
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	\$
1809	750	2809	375	Filing a submission after final rejection(37 CFR 1.129(a))	\$
1810	750	2810	375	For each add'l invention to be examined(37 CFR1.129(b))	\$
1801	750	2801	375	Request For Continued Examination (RCE)	\$375
1802	900	1802	900	Request for Expedited Examination of a design application	\$
Other fee (specify)					\$
*Reduced by basic filing fee paid					\$635
SUBTOTAL (3)					\$635

I hereby Certify that this Correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on June 2, 2003

Martin G. Linihan  
Name

Signature

June 2, 2003  
Date of Signature

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